HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 27527 of 2007

24.12.2007

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Between:

Venigalla Rambabu

... Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Chief Registrar (Births & Deaths),
Department of Medical and Health (Vital Statistics),
Hyderabad & another.

... Respondents

Counsel for the petitioner : Sri G. Ramesh Babu

Counsel for the respondents : Assistant Government Pleader for Medical, Health & Family Welfare

O R D E R:

This writ petition is filed for a writ of mandamus to set aside proceedings, dated 13.12.2007 issued by respondent No.2, whereby he rejected the request of the petitioner to issue date of birth certificate for his son, by name, Venigalla Kranthi Chaitanya.

Sri G. Ramesh Babu, learned counsel for the petitioner has drawn my attention to orders dated 29.06.2007 passed in Writ Petition Nos. 13714 and 13684 of 2007, dated 21.06.2007 and 27.02.2007 passed in Writ Petition Nos. 12972 of 2007 and 3739 of 2007, in which this Court considered the issue raised in the said writ petitions, namely, refusal to issue birth certificate on the ground that the application was filed beyond the time limit prescribed under Rule 10 of

Andhra Pradesh Registration of Births and Deaths Rules, 1999 (for short, 'the Rules'). In all the said orders, it is held that respondent No.2 ought to have considered the application on merits therein and entered the names of their children in the certificates after satisfying himself as to their identity, despite the fact that applications were filed beyond the time limit of 15 years stipulated under Rule 10 of the Rules.

Having carefully perused the said orders and the averments contained in the affidavit filed in support of the writ petition, I am satisfied that the petitioner raised the issue, which is identical to the issues raised in the said writ petitions and that the said orders squarely cover the issue raised in the present writ petition.

In view of the above, this writ petition is also disposed of in terms of the said orders with the direction that the same shall be read as part of this order.

As a sequel to disposal of the writ petition, W.P.M.P.No. 36003 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

24.12.2007

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